

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MONTANA  
MISSOULA DIVISION

**FILED**  
MAY 17 2018  
Clerk, U.S. District Court  
District Of Montana  
Missoula

UNITED STATES OF AMERICA,

Plaintiff,

vs.

CHRISTOPHER LOUIS BENDING,

Defendant.

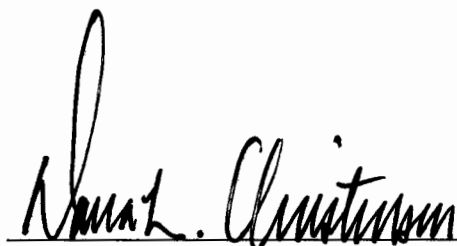
CR 18-04-M-DLC

ORDER

Before the Court is Defendant Christopher Louis Bending's ("Bending") Motion to Dismiss Count IV. (Doc. 28.) On May 17, 2018, the Court received the Government's response which explains that it does not oppose the Motion "[d]ue to the proof problem described in the Brief in Support of the Motion to Dismiss (Doc. 29 at 5)." Accordingly,

IT IS ORDERED that Defendant's Motion (Doc. 28) is GRANTED.  
Count IV of the Indictment is DISMISSED WITHOUT PREJUDICE.

DATED this 17<sup>th</sup> day of May, 2018.

  
Dana L. Christensen, Chief Judge  
United States District Court